

Message Text

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12/63

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DRAFTED BY: EA/K: DO'DONOHUE

APPROVED BY: EA/K: MR O'DONOHUE

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FM SECSTATE WASHDC

TO AMEMBASSY SEOUL

INFO AMEMBASSY TOKYO

C O N F I D E N T I A L STATE 277436

C O R R E C T E D COPY FOR MISSING TEXT PARA 3

E.O.11652: N/A

SUBJECT: OGLE CASE

REF: STATE 275482

1. KOREAN EMBASSY POLITICAL COUNSELOR KIM TAE ZHEE CALLED ON KOREAN COUNTRY DIRECTOR TODAY(DECEMBER 18). KIM CONVEYED ROKG REPLY TO MAJOR POINTS MADE BY ASSISTANT SECRETARY HABIB IN HIS DECEMBER 16 MEETING WITH AMBASSADOR HAHM ON OGLE CASE.

2. KIM MADE FOLLOWING ORAL POINTS:

3. WITH REGARD TO QUESTION OF WHETHER OGLE HAD ADEQUATE OPPORTUNITY FOR APPEAL, OGLE WAS INFORMED MORNING OF DECEMBER 14 BY SEOUL EXIT AND ENTRY CONTROL OFFICE OF GOVERNMENT'S DECISION TO DEPORT HIM. AT THAT TIME OFFICER ALSO TOLD OGLE OF HIS RIGHT TO APPEAL, EITHER ORALLY OR IN WRITING, WITHIN 7 DAYS. OGLE IMMEDIATELY EXERCISED HIS
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RIGHT OF APPEAL, PREPARING WRITTEN STATEMENT IN EXIT AND

ENTRY CONTROL OFFICE. OGLE'S WRITTEN APPEAL WAS REVIEWED BY JUSTICE MINISTER AND OGLE WAS INFORMED AT 1730 HOURS THAT APPEAL HAD BEEN REJECTED. HE WAS SUBSEQUENTLY DEPORTED AT 1930 HOURS THE SAME DAY.

4. ON TOKYO AIRPORT INCIDENT, KIM NOTED THAT UNDER KOREAN

ENTRY AND EXIT CONTROL LAW, CARRIER SHOULD COOPERATE WITH IMMIGRATION OFFICERS CARRYING OUT THEIR DUTY. THE SEOUL EXIT AND ENTRY CONTROL OFFICER DID REQUEST THE COOPERATION OF THE CARRIER IN OGLE'S DEPORTATION. AT THE SAME TIME QUOTE NO COERCIVE MEASURES UNQUOTE WERE USED AGAINST OGLE.

5. KIM NOTED THAT HABIB HAD ASKED WHAT ROKG INTENTIONS ARE RE OTHER MISSIONARIES. KIM STATED THAT ROKG IS NOT CONSIDERING DEPORTATION OF ANY OTHER AMERICAN CLERGYMEN.

6. KOREAN COUNTRY DIRECTOR NOTED THAT DESCRIPTION OF HURRIED APPEAL PROCESS DID NOT APPEAR ADEQUATE. ALSO POINTED OUT THAT KIM'S COMMENTS REGARDING TOKYO AIRPORT INCIDENT WERE SOMEWHAT UNCLEAR. HE ASKED WHETHER KOREAN POSITION THAT OGLE WAS NOT IN FACT BARRED FROM LEAVING PLANE OR WHETHER IT KOREAN VIEW THAT ROK LAW ALLOWED OGLE'S DETENTION ON PLANE. KIM WAS UNABLE TO CLARIFY THESE POINTS.

7. KOREAN COUNTRY DIRECTOR REVIEWED WITH KIM TALKING POINTS PREPARED BY LEGAL ADVISOR'S OFFICE, POINTING OUT THAT IN OUR VIEW, ANY ATTEMPT TO DETAIN OGLE IN TOKYO WAS ILLEGAL (TALKING POINTS BEING FORWARDED SEPTTEL). CONCLUDED THAT ON BASIS PRESENT INFORMATION AND LEGAL CONSIDERATIONS CITED, WE MUST MAINTAIN OUR PROTEST AND REQUEST FOR FURTHER CLARIFICATION OF THE TOKYO AIRPORT INCIDENT. ALSO EXPRESSED APPRECIATION FOR INDICATION THAT ROKG NOT CONSIDERING FURTHER DEPORTATION OF AMERICAN MISSIONARIES.

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